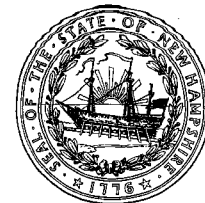




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

January 26, 2006

**LETTER OF DEFICIENCY# WSEB 06-007**  
Certified Mail# 7099 3400 0003 6156 6498

Robert O'Neil  
Red Sleigh Condos  
PO Box 80  
Moultonborough, NH 03254

Subject: Campton - Public Water System: Red Sleigh Condos (EPA# 0342090)

Dear Mr. O'Neil:

The records of the NH Department of Environmental Services (DES) show that the Red Sleigh Condominiums water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit chemical samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rules Env-Ws 324 and 327.

DES records indicate that the subject water system failed to submit the following chemical sample results for the following monitoring periods:

**Quarter 2 (Q2) 2005 - Methyl tertiary-butyl ether (MtBE)**

- Combined Radium 226 & 228
- Compliance Gross Alpha
- Uranium

**Q3-2005 - Combined Radium 226 & 228**

**Q4-2005 - MtBE**

- Combined Radium 226 & 228
- Compliance Gross Alpha
- Uranium

**MtBE Sampling:**

As a result of the failure to submit the Q2-2005 MtBE sample, a Notice of Violation (NOV), dated August 12, 2005, was sent to you. The NOV requested that you immediately submit a "make-up" MtBE sample and provide public notice of the monitoring violation to consumers. To date, DES has not received the results of a Q2-2005 MtBE make-up sample or proof of public notice for the monitoring violation. This Letter of Deficiency shall serve as the formal NOV for failing to submit a Q4-2005 MtBE sample.

DES records indicate that the water system is scheduled to submit a Q1-2006 VOC sample, which will include an MtBE analysis. In addition, the system's historical MtBE sample results have shown either a low level of the contaminant, or the absence of the contaminant. As a result, if the analysis of the Q1-2006 VOC sample shows MtBE to be at or below previously detected levels, **and the water system owner/operator requests in writing to have the MtBE sampling frequency reduced**, DES will issue the system a revised Master Sampling Schedule. Public notice of the Q2 and Q4-2005 MtBE monitoring violations is still required, as noted below.

**Radiological Sampling:**

On August 30, 2005, a NOV was issued to the water system for failing to submit Q2-2005 Combined Radium 226 & 228, Compliance Gross Alpha, and Uranium samples. On December 8, 2005, a NOV was issued (and modified by a letter dated December 14, 2005) for failing to submit a Q3-2005 Combined Radium 226 & 228 sample. This Letter of Deficiency shall serve as the formal NOV for failing to submit Q4-2005 Combined Radium 226 & 228, Compliance Gross Alpha, and Uranium samples. Due to the fact that state and federal rules require radionuclides to be sampled each quarter to determine seasonal variability, the missed 2005 radiological samples have been rescheduled to the same quarters in 2006.

DES believes the chemical monitoring/reporting deficiencies can be addressed by taking the following actions:

1. **As soon as possible, but no later than February 10, 2006**, provide public notice of the Q2 and Q4-2005 MtBE monitoring violations to consumers and submit proof of public notice to this office following the guidelines on the enclosed public notice template; and
2. **By March 31, 2006**, submit a VOC, nitrate, and nitrite sample to the State laboratory or a State-certified laboratory. Upon receipt of the VOC sample results, review the level of MtBE to determine if a reduction, as outlined in the MtBE discussion above, is warranted; and
3. **Between April 1 and June 30, 2006**, submit a Combined Radium 226 & 228, Compliance Gross Alpha, and a Uranium sample to the State laboratory or a State-certified laboratory. If the system's MtBE sampling frequency has not been reduced following the results of the Q1-2006 VOC sample, also submit a MtBE sample to the State Laboratory or State-certified laboratory; and
4. **Between July 1 and September 30, 2006**, submit a Combined Radium 226 & 228 sample to the State laboratory or a State-certified laboratory. If the system's MtBE sampling frequency has not been reduced following the results of the Q1-2006 VOC sample, also submit a MtBE sample to the State Laboratory or State-certified laboratory; and
5. **Between October 1 and December 31, 2006**, submit a Combined Radium 226 & 228, Compliance Gross Alpha, and a Uranium sample to the State laboratory or a State-certified laboratory. If the system's MtBE sampling frequency has not been reduced following the results of the Q1-2006 VOC sample, also submit a MtBE sample to the State Laboratory or State-certified laboratory.

In the event compliance is not achieved within this period, DES may initiate formal action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

To assist you in complying with your system's monitoring requirements, a copy of your Master Sampling Schedule is enclosed.

The proof of public notice as requested above should be addressed as follows or faxed to (603) 271-5171:

Allyson Gourley  
Department of Environmental Services  
Water Supply Engineering Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

If you have any questions regarding this letter, please contact Allyson at (603) 271-0655 or by email at [agourley@des.state.nh.us](mailto:agourley@des.state.nh.us).

Sincerely,

**COPY**

Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

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Encl: Public Notice Form  
Master Sampling Schedule

cc: Gretchen R. Hamel, DES Legal Unit Administrator  
James McGarr, Campton Health Officer  
EPA, Region 1  
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